



LODI CITY COUNCIL

Carnegie Forum
305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: April 18, 2007

Time: Closed Session 6:00 p.m.
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

Randi Johl

City Clerk

Telephone: (209) 333-6702

NOTE: All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 24 hours prior to the meeting date.

C-1 Call to Order / Roll Call

C-2 Announcement of Closed Session

- a) Review of Council Appointees – City Manager and City Attorney – pursuant to Government Code §54957
- b) Threatened Litigation: Government Code §54956.9(b); One Case; Potential Suit by Norma Carson against City of Lodi Based on Personal Injury
- c) Actual Litigation: Government Code §54956.9(a); One Case; City of Lodi v. Stephen Banks and Christine Banks, San Joaquin County Superior Court, Case No. CV 032023
- d) Actual Litigation: Government Code §54956.9(a); Two Consolidated Cases; Ana Perez v. Allen Aadland, City of Lodi, et al. and Allstate Insurance Company v. City of Lodi, Allen B. Aadland, Lodi Electric Utility, et al., San Joaquin County Superior Court Case No. CV 028324
- e) Actual Litigation: Government Code §54956.9(a); One Case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al., United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM
- f) Actual Litigation: Government Code §54956.9(a); One Case; Hartford Accident and Indemnity Company, et al. v. City of Lodi, et al., Superior Court, County of San Francisco, Case No. 323658

C-3 Adjourn to Closed Session

NOTE: THE FOLLOWING ITEMS WILL COMMENCE NO SOONER THAN 7:00 P.M.

C-4 Return to Open Session / Disclosure of Action

A. Call to Order / Roll call

B. Invocation – Pastor Matt Duerr, Zion Reformed Church

C. Pledge of Allegiance

D. Presentations

- D-1 Awards – None
- D-2 Proclamations
 - a) Sexual Assault Awareness Month
 - b) National Library Week (LIB)
- D-3 Presentations – None

E. Consent Calendar (Reading; Comments by the Public; Council Action)

- E-1 Receive Register of Claims in the Amount of \$6,591,192.66 (FIN)
- E-2 Approve Minutes (CLK)
a) April 3, 2007 (Shirtsleeve Session)
- Res. E-3 Adopt Resolution Approving Negative Declaration 06-01 as Adequate Environmental Documentation for the Proposed Killelea Substation Rehabilitation Project (EUD)
- E-4 Approve Specifications and Authorize Advertisement for Bids for Wood Utility Poles, #477MCM Bare Aluminum Conductor, and Padmount Liquid Insulated Vacuum Switchgear (EUD)
- E-5 Approve Request for Proposals for Services to Perform Inspection, Adjustments, and Maintenance Tests of Four Power Transformers and Load Tap Changers in Henning and Industrial Substations (EUD)
- E-6 Approve Request for Proposals and Authorize Advertisement for Bids for Concession Operations at Lodi Lake Park and Other Locations (Determined Quarterly) for Recreational Events (PR)
- Res. E-7 Adopt Resolution Authorizing the City Manager to Execute Contract with Layne Christensen Company, of Woodland, for Repairs to City Water Well No. 18 (\$40,183) (PW)
- Res. E-8 Adopt Resolution Authorizing the City Manager to Execute a Master Professional Services Agreement with Ruark and Associates, of San Ramon, for Temporary Engineering Services and to Approve Individual Task Orders (PW)
- E-9 Approve Contract to Provide Management Services to Delta College for the Preparation of an Environmental Impact Report for the Delta College Lodi Campus (CD)

F. Comments by the Public on Non-Agenda Items

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

G. Comments by the City Council Members on Non-Agenda Items

H. Comments by the City Manager on Non-Agenda Items

I. Public Hearings

- Res. I-1 Public Hearing to Consider an Appeal of the Planning Commission's Approval of a Conditional Use Permit for Wine Country Casino and Restaurant Located at 1800 South Cherokee Lane (Wine Country Casino and Restaurant, applicant; Kenneth R. Owen, appellant) (CD)
- NOTE: This item is a quasi-judicial hearing and requires disclosure of ex parte communications as set forth in Resolution No. 2006-31**

Pulled Res. (I-2) Public Hearing to Consider Adoption of Resolution Establishing Public Works Department Engineering Fees for Various Development-Related Engineering Services; Establishing Standard Unit Price Schedule for Calculation of Engineering Fees and Improvement Security; and Establishing Requirement for Warranty Security for Public Improvements (PW)

Pulled Res. (I-3) Public Hearing to Consider Adoption of Resolution Setting Storm Drainage Permit Compliance Inspection Fees for Wet Season Construction Inspections (PW)

J. Communications

- J-1 Claims Filed Against the City of Lodi – None
- J-2 Appointments – None
- J-3 Miscellaneous – None

K. Regular Calendar

Pulled

- (K-1) Consideration of Water Meter Retrofit Policy (PW)

Pulled

- (K-2) Receive Progress Report on City of Lodi General Plan Update (CD)

Res. K-3 Consider Adoption of Revised Travel and Expense Reimbursement Policy (CLK)

- K-4 Review Groundwater Charge for City Wells Proposed by the North San Joaquin Water Conservation District and Direct Staff as Appropriate (PW)

NOTE: This item is carried over from the meeting of 4/4/07

Pulled

- (K-5) Consideration of Adjustments to the City Manager and City Attorney Employment Agreements (CM)

NOTE: This item is carried over from the meeting of 4/4/07

- K-6 Approve Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases Being Handled by Outside Counsel (\$98,008.45) (CA)

L. Ordinances

Ord. L-1 Ordinance No. 1795 entitled, "An Uncodified Ordinance of the Lodi City Council Amending the
(Adopt) Official District Map of the City of Lodi and Thereby Rezoning 1325 and 1333 South Central Avenue (APN 047-270-11 and 047-270-12) from RE-1, Single Family Residential Eastside, to C-2, General Commercial, for the Gini Project" (CLK)

Ord. L-2 Ordinance No. 1796 entitled, "An Uncodified Ordinance of the Lodi City Council Amending the
(Adopt) Official District Map of the City of Lodi and Thereby Rezoning 975, 999, and 1031 South Fairmont Street; 1200 West Vine Street; and 1201, 1139, 1133, 1127, 1121, and 1115 West Cardinal Street from RCP, Residential-Commercial-Professional Office, and R-2, Residence District, to PD, Planned Development, for the Lodi Memorial Hospital Project" (CLK)

M. Adjournment

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

Randi Johl
City Clerk